

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

**MELODY JOY CANTU and
DR. RODRIGO CANTU,**

Plaintiff,

v.

Case No. SA-20-CV-0746-JKP

**DR. SANDRA GUERRA and
DIGITAL FORENSICS
CORPORATION,**

Defendants.

**ORDER VACATING TRIAL
AND ADMINISTRATIVELY CLOSING CASE**


The parties have alerted the Court that this case has settled and that they would be filing an advisory to that effect. Although the Court has received no such advisory, this case is currently set for trial with other pending deadlines. *See* Trial Scheduling Order (CF No. 123). Given the settlement of this case, the Court vacates the trial scheduling order and sua sponte considers whether the case is appropriate for administrative closure pending the filing of an appropriate case closing document. *See* Fed. R. Civ. P. 41.

“The effect of an administrative closure is no different from a simple stay, except that it affects the count of active cases pending on the court’s docket; i.e., administratively closed cases are not counted as active.” *Mire v. Full Spectrum Lending, Inc.*, 389 F.3d 163, 167 (5th Cir. 2004) (explaining that courts frequently make use of administrative closure to remove inactive cases from their pending dockets); *accord CitiFinancial Corp. v. Harrison*, 453 F.3d 245, 250-51 (5th Cir. 2006) (equating administrative closure with a stay of proceedings). The act of administrative closure is not a dismissal or disposition of the case, nor any reflection or comment on the merits of the action. If further proceedings become necessary or desirable, any party may initiate such

further proceedings by moving to reopen the case. Though administratively closed, the parties may still file documents in the case as may be necessary. The Court, of course, may initiate further proceedings as warranted. Given the settlement of this case and the implicit need for the parties to submit case-closing documents, the Court finds it appropriate to administratively close this case.

For the foregoing reasons, the Court **VACATES** the Trial Scheduling Order (CF No. 123) and all deadlines and settings therein, including trial. It further **DIRECTS the Clerk of Court to administratively close this case pending further court order. On or before September 22, 2023**, the parties shall file a stipulation of dismissal or other appropriate case closing document.

IT IS SO ORDERED this 1st day of September 2023.


JASON PULLIAM
UNITED STATES DISTRICT JUDGE